

Sexual Assault and Sexual Violence Policy

Policy Effective Date: Immediately
Approved By: Management
Review Date: November 28, 2022

This policy applies to all members of the college including: All staff, faculty, students, contractors, suppliers, visitors, clients and volunteers.

This Sexual Violence and Harassment Manual outlines the college's protocols and it provides resources and procedures to all who may be directly or indirectly involved with people who are or have experienced harassment or sexual violence in their work place.

This sexual violence policy will be provided to every student at time of enrolment as well as to all faculty and staff. In addition, it will be posted on our corporate website as well as having a printed copy in the front reception area of the College.

We undertake to review this policy with our students and staff, every three years and amend it as appropriate.

Our college is a safe and professional learning environment and we diligently work to ensure that all people are aware, that we value human equality and welcome self-expression, individuality and promote an environment free of discrimination, abuse or violence.

Definitions

Sexual violence means: any sexual act or act targeting a person's sexuality, gender, identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened, or attempted against a person without the person's consent, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.

Harassment means: engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.

Workplace sexual harassment means: engaging in a course of vexatious comment or conduct or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome or making a sexual solicitation or advance where the person making the solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Consent: is the active on going, informed and voluntary agreement to engage in sexual activity. Consent cannot be given by someone whose judgment is materially impaired, unconscious, or otherwise unable to understand and voluntarily give consent. Consent can never be obtained through threats, trickery, coercion, pressure or other forms of control or intimidation and may be withdrawn at any time. Consent may be compromised where individuals are in a position of power, trust or authority over the person whose consent is required. The consumption of alcohol or drugs does not provide any excuse from obtaining consent.

Consent cannot be given on behalf of another person.

Policy Statement

We believe in a healthy, safe academic workplace environment for all students, personnel and visitors. We maintain a zero tolerance policy toward any sexual violence, harassment act, committed against any person. All staff members are well versed on this policy and are vigilant and responsive to the needs of those whose rights' may have been violated.

This document sets out our policy and response protocol to sexual violence and ensures that those who experience sexual violence are believed and their rights respected, that we have a process of investigation that protects the rights of individuals and holds those individual who have committed an act of sexual violence accountable.

We will take appropriate disciplinary action against any employee or student found to have initiated any form of sexual harassment. This disciplinary action could include suspension, dismissal, and notification to the appropriate authorities (Human Rights Commission or the police) and/or criminal charges.

All incidents of sexual violence and harassment will be investigated to the best of the management team's ability and within 24 hours of receipt of a verbal or written complaint.

We are also committed to addressing harmful attitudes and behaviors that reinforce that the individual who experienced sexual violence is somehow to blame for what occurred.

Management's Responsibility

It is the responsibility of the Pures College of Technology management team, or any person with this College who deals with students in an instructor or clinical supervisory capacity to take immediate and appropriate action to report or deal with incidents of sexual harassment whether brought to their attention or personally observed.

We are committed to assisting those who have experienced sexual violence and will provide assistance, compassion, emotional support and community outreach information; such as medical care, counselling, legal options and choices.

Confidentiality is particularly important to those who have disclosed sexual violence. The confidentiality of all persons involved in a report of sexual violence must be strictly observed, and the college does its best to respect the confidentiality of all persons including the complainant, respondent and witnesses.

Under no circumstances should a legitimate complaint be dismissed or downplayed or the complainant told to deal with it personally

1. Obtain a detailed description of the incident that is written and dated. Ensure there is no retaliation taking place on student's behalf, obtain legal counsel if required. Ask and provide resolution if available and satisfactory to the student. Treat the matter in a professional manner and take all situations seriously.
2. Conduct Investigation immediately after the report has been taken. Keep all reports confidential. Document as necessary and contact the authorities if appropriate.
3. Interview the Complainant. Obtain a complete account in writing of the incident that has taken place. Determine a problem-solving resolution. Determine any influences that may have occurred.
4. Interview the respondent or the accused. Ensure details are in writing and ask for any clarification as needed about the incident. Identify any reporting relations or hierarchical structures that need to be addressed. Report on timelines of the events. Assess any chance of a retaliation from the accused and document all details including any observations of verbal and nonverbal body language.

5. Interview any witnesses to the incident and document signed copies of any reports taken.
6. Resolve Complaint. This may include but is not limited to a transfer or altering schedules. Level of discipline to be determined based on the complaint. Review and revise the situation as needed and communicate the policy regularly.
7. Keep all reports and complaints filed in a confidential manner.
8. Follow up with parties involved of ongoing resolution that need to be taken or addressed.

Responsibility of Employees and Students

It is expected that you understand your rights and obligations under the Ontario Human Right Code.

<https://www.ohrc.on.ca/en/tag/discrimination-type/harassment>

The Director is responsible for employment awareness of this Sexual Violence Policy through the delivery of educational sessions and materials distributed to all employees and students. Discussion of the Sexual Harassment Policy will be a part of ongoing orientation and training sessions.

Employees or students experiencing or aware of, any sexual harassment within the organization must report the situation, either directly or through a staff person. By following procedures outlined, within 24 hours of receiving a complaint, procedures described in the document will be initiated.

Under the law, the following scenarios are illegal:

1. When an employer, supervisor, colleague or co-worker bothers you with sexual remarks, jokes or touching.
2. When an employer, supervisor or colleague make sexual suggestions or requests.
3. When an employer or supervisor penalizes (or threatens to penalize) you if you refuse a sexual suggestion or request.

Sexual remarks, jokes, touching or requests are harassment if they are not wanted or welcomed by the employee or student. Even if the employee or student does not complain, there can still be harassment. The scenarios described above are unacceptable in a business environment under any circumstances. It will not be condoned and must be stopped immediately.

Students are not required to report an incident of, or make a complaint about, sexual violence in order to obtain the supports and services.

What Should You Do?

If you believe you are being or have been sexually harassed as described in this policy, it is very important that you follow the steps outlined below. In the majority of cases, offenders feel their behavior is harmless and may not realize the negative effect it is having on you. In many situations, once you communicate your position to the offender, the harassment will stop.

Procedures

1. Tell the person harassing you to stop. You can say, "I don't appreciate that." or "I don't like that."
2. If the person harassing you is a colleague or co-worker, you should complain to your supervisor.
3. If the person harassing you is your supervisor, report it to his or her supervisor.
4. Keep a record of what happened. Include the time, date and place of each incident and note the name of a witness, if applicable.
5. If, after asking the offender to stop his/her behavior, the harassment continues, file a complaint (a letter or memo outlining the behavior and including your records) with one of the following individuals listed below.

Do not wait too long, especially if you feel that you have made yourself clear to the offender. Or if you wish to speak with someone directly call the campus Director, Flora Wu @ 416-498-5565 or if appropriate call the local police.

Collection of Student Data

Pures College of Technology shall collect and be prepared to provide upon request by the Superintendent of Private Career Colleges such data and information as required according to **Subsections 32.1 (8), (9), (10) and (11) of Schedule 5 of the Private Career Colleges Act, 2005 as amended.**

The following represents a list of Provincial Rape Crisis Centres that could be provided as resources:

Assaulted Women's Helpline

1-866-863-0511; available 24 hours a day, in 200 languages www.awhl.org/

The Assaulted Women's Helpline serves as a free, anonymous and confidential 24-hour telephone and TTY crisis telephone line to all women in the province of Ontario who have experienced any form of abuse. They provide crisis counselling, safety planning, emotional support, information and referrals accessible 7 days a week, 365 days a year.

Central Toronto Youth Services (CTYS) - Pride & Prejudice

416-924-2100; <https://ctys.org/program/pride-prejudice/>

P&P offers unique programs including individual and group counseling, for lesbian, gay, bisexual, trans, non-binary, queer and questioning youth, ages 13-24.

Chantel's Place

Trillium Health Centre 100 Queensway West, Mississauga

905-848-7580 ext. 2548; for counselling contact 905-848-7689; available 24 hours a day, via Trillium's Emergency Department <https://www.thp.ca/patientservices/womens/Chantels-Place>

Chantel's place is a partner in an Ontario network of sexual assault and domestic violence treatment centres. All services are free, and individuals can obtain a physical examination, an assessment and treatment of injuries, medication to prevent or limit the risk of contracting a sexually transmitted infection or HIV. Staff may also take forensic evidence such as photographs, in the event of abuse; the hospital may be able to provide some immediate and long-term counselling. A medical record is confidential.

David Kelley Counselling Programs

<https://familyservicetoronto.org/our-services/programs-and-services/david-kelley-services/>

The David Kelley Program offers two types of counselling services for Lesbian, Gay, Bisexual, Trans, and Queer folks (LGBTQ+). Options for counselling include the HIV/Aids Community Counselling Program and the Lesbian, Gay, Bisexual, Trans, Queer (LGBTQ+) Counselling Program. The David Kelley program also provides [Partner Assault Response \(PAR\)](#) services for court- and probation-mandated individuals charged with assault to a same-sex partner.

First Nations and Inuit Mental Health and Wellness

1-888-242-3310 or online chat at [Hope for Wellness](#); open 24 hours, 7 days a week

Provides immediate mental health counselling and crisis intervention to all Indigenous peoples across Canada.

Good2Talk

1-866-925-5454 or text GOOD2TALKON to 686868;

Available 24 hours a day, www.good2talk.ca/

Good2Talk is a free, confidential and anonymous helpline providing professional counselling and information and referrals for mental health, addictions and well-being to post-secondary students in Ontario.

Hope24/7

1-800-810-0180

Crisis Line is Available:

- Monday and Friday 9:00 am – 5:00 pm
- Tuesday and Wednesday 9:00 am – 8:00 pm
- Thursday 9:00 am – 6:00 pm

10 Gillingham Drive

Suite 6305, Brampton www.hope247.ca

Hope 24/7 is a charity organization offering psychotherapy services for folks 12 years old and over who have been impacted by relationship and sexual violence.

Native Women's Resource Centre of Toronto

416-963-9963

NWRCT is community based and offers culturally relevant services such as legal and health services.

Police Services – Emergency, Call 911

Toronto: 416-808-2222

York: 1-866-876-5423

Peel: 905-453-3311

Halton: 905-825-4777

Support Services for Male Survivors of Sexual Abuse

1-866-887-0015; available 24 hours a day, 7 days a week

Immediate crisis and referral services in Ontario for male survivors of sexual abuse. Referrals to counselling, peer support, and other community agencies

Talk4Healing

1-855-554-HEAL (4325) or 2-1-1; available 24 hours a day, 7 days a week

Free and culturally safe telephone helpline for Indigenous women living in Ontario

Provides services in English, Ojibway, Oji-Cree, and Cree

The 519 Community Centre (Toronto)

416-392-6874

519 Church Street

Info@The519.org; www.the519.org/

The 519 has been committed to the health, happiness and full participation of the LGBTQ2S communities. The agency utilizes a model of service, space and leadership to promote inclusion and respect.